

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
ST. JOSEPH DIVISION**

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VetBridge Product Development Subsidiary I (NM-OMP), )  
LLC, a Missouri limited liability company, )  
Plaintiff, )  
v. )  
NewMarket Pharmaceuticals, LLC, a Delaware limited )  
liability company, ) Civil Action No. 5:18-cv-  
Defendant, ) 06147-BCW  
)  
NewMarket Pharmaceuticals, LLC, a Delaware limited )  
liability company, )  
Third Party Plaintiff, )  
v. )  
VetPharm, INC., a New York corporation; )  
Third Party Defendant. )  
\_\_\_\_\_ )

**NOTICE OF DISMISSAL WITHOUT PREJUDICE  
AND REQUEST FOR ENTRY OF ORDER OF DISMISSAL**

Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i), Third-Party Plaintiff NewMarket Pharmaceuticals, LLC (“NewMarket”) requests dismissal without prejudice of the Third-Party Complaint remaining in this action against Defendant VetPharm , Inc. (“VetPharm”), with each party to bear its own costs and fees. VetPharm has not yet answered or filed a motion for summary determination. NewMarket has not dismissed any claims in this action in any other jurisdictions. Thus, dismissal without prejudice is proper under Fed. R. Civ. P. 41(a)(1)(A)(i). A

proposed order of dismissal without prejudice is submitted concurrently herewith. Plaintiff requests that it be entered by the Court.

Dated: June 4, 2019

NEWMARKET PHARMACEUTICALS,  
LLC, Plaintiff,

/s/ Robert M. Pollaro

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 4th day of June, 2019, the foregoing was filed with the Court via the CM/ECF system, and served on the following via electronic mail:

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/s/ Robert M. Pollaro

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